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December 5, 2007

***Ex Parte***

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: WC Docket No. 06-159: Petition of Neutral  
Tandem For Interconnection with Verizon Wireless

Dear Ms. Dortch:

This will advise the Commission that Verizon Wireless and Neutral Tandem have been engaging in ongoing negotiations aimed at reaching a definitive agreement to provide Neutral Tandem with direct interconnection to Verizon Wireless's network. Verizon Wireless understands that the Commission has before it a draft order that would address the rights and obligations of the parties under the Communications Act. Given these ongoing negotiations, we urge the Commission to allow the negotiations to be completed in lieu of issuing a decision.

The Commission has long recognized that allowing the telecommunications market to drive the negotiation of voluntary interconnection agreements is preferable to regulatory intervention. Its entire regime for commercial mobile service (CMRS) interconnection is premised on its preference for voluntary arrangements and on the goal of promoting the negotiation of agreements. *See, e.g., 47 C.F.R. Section 20.11.*<sup>1</sup> The record in this proceeding fails to demonstrate any evidence of market failure that would warrant a reversal of these policies by intervening into the CMRS market.

The wisdom of encouraging parties to negotiate interconnection arrangements, rather than imposing regulation, is confirmed by the cooperative actions of Verizon

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<sup>1</sup> "Although we deny the CMRS providers' requested ruling [barring the establishment of termination rates for CMRS traffic via tariff] under the current rules, we now take action in this proceeding to amend our rules going forward in order to make clear our preference for contractual arrangements for non-access CMRS traffic." *Developing a Unified Intercarrier Compensation Regime; T-Mobile et al. Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs*, CC Docket No. 01-92, 20 FCC Rcd 4855 (2005) (emphasis added); *Interconnection and Resale Obligations Pertaining to Commercial Radio Services, Fourth Report and Order*, 15 FCC Rcd 13523, 13531-21 (2000) (rejecting requests to impose direct connection requirements on CMRS carriers).

Wireless and Neutral Tandem over the past month. On October 25, 2007, the parties had an initial conversation to discuss a potential new agreement that would put in place commercial terms to govern Neutral Tandem's interconnection to Verizon Wireless switches in various markets. Neutral Tandem then provided Verizon Wireless with a draft of an agreement. Verizon Wireless marked up this agreement with suggested changes, and this draft formed the basis for a conference call on November 26, which included Neutral Tandem's Chief Executive Officer, Chief Operating Officer and General Counsel. On that call Neutral Tandem identified four remaining issues that it asked to have addressed in the agreement, and Verizon Wireless responded to each.

On November 30, Verizon Wireless provided a discussion outline on its proposals for addressing these issues. On December 3, Neutral Tandem responded with a further counterproposal which formed the basis for a discussion the following day, December 4, again attended by Neutral Tandem's CEO, COO and General Counsel. During that discussion, Verizon Wireless asked that Neutral Tandem clarify its counterproposal, and tentative agreement was reached on most issues. A further negotiating session is scheduled for tomorrow, December 6.

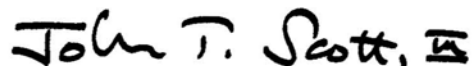
Verizon Wireless intends to continue to work in good faith on seeking to reach a definitive agreement. It believes Neutral Tandem will do the same. The above summary of the parties' ongoing negotiations shows that substantial progress has been made.

Issuance of a Commission order at this late stage in the negotiations would unquestionably disrupt, and potentially terminate, those negotiations. A Commission order would inevitably address the rights and obligations of the parties, thereby intruding on and adversely affecting the negotiations. It would require Verizon Wireless (and potentially Neutral Tandem) to consider the need to seek Commission reconsideration or appellate review of such an order. At a minimum, an order will distract the parties from continuing their progress toward an agreement.

Verizon Wireless thus believes the Commission should defer consideration of any action in this proceeding. The company commits to advising the Commission when negotiations conclude.

Pursuant to Section 1.1206 of the Commission's Rules, a copy of this written ex parte presentation is being filed electronically with the Secretary.

Respectfully submitted,

A handwritten signature in black ink that reads "John T. Scott, III". The signature is written in a cursive, slightly stylized font.

John T. Scott, III

cc: Daniel Gonzalez  
Ian Dillner  
Scott Deutchman  
John Branscome  
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